

Case No.: 3:10cv613-RJC-DCK

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1. A verified Complaint for Forfeiture in rem of the Defendant Property was filed on December 1, 2010, together with relevant portions of an Affidavit from co-affiants, Special Agent (SA) Richard D. Schwein, Jr., Federal Bureau of Investigation, SA David W. Howell, Immigration and Naturalization Service, and SA Kent J. Halsten, Bureau of Alcohol, Tobacco and Firearms. This Court found probable cause for forfeiture and issued a warrant for arrest in rem.
2. Process was fully issued in this action and returned according to law. Pursuant to the warrant for arrest in rem, the government duly seized the Defendant Property.
3. The government has identified in the Complaint all known person who may have potential claims to the Defendant Property and has attempted to serve them with copies of the Complaint by certified mail, return receipt requested, at their last known addresses.
4. As to all person in the world with potential claims to the Defendant Property, service of process was made by publishing via www.forfeiture.gov, December 3, 2010, through January 1, 2011, as shown on the Submission of Declaration of Publication dated January 3, 2011, and filed herein on January 3, 2011.

5. No person has filed a claim or answer within the time required by the Complaint, the public notices, or Rule C(6) of the Supplemental Rules for Certain Admiralty and maritime claims, and a Motion of Entry of Default has been filed.

BASED ON THE FORGOING FINDINGS AND THE COURT'S PREVIOUS FINDING OF PROBABLE CAUSE, THE COURT CONCLUDES that the government is entitled to a Judgment of Forfeiture by Default against the Defendant Property.

IT IS, THEREFORE, ORDERED that:

1. The government's Motion for Default Judgment of Forfeiture is hereby **GRANTED**.
2. Any and all right, title and interest of all persons in the world in or to the following property is hereby forfeited to the United States; and no other right, title or interest shall exist therein: all present and future interest in approximately \$4,757.51 in United States funds paid to the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") as the net proceeds from the sale of a 1999 Toyota 4Runner titled in the name of Angela G. Tsioumas, which was seized on or about July 20, 2000, in Charlotte, North Carolina, and which funds are in the custody of ATF at ATF Headquarters in Washington, D.C.
3. The United States is hereby directed to dispose of the forfeited Defendant Property as provided by law.

Signed: March 1, 2011



Robert J. Conrad, Jr.
Chief United States District Judge

